



Linda S. Adams  
Secretary for  
Environmental Protection

# California Regional Water Quality Control Board San Diego Region

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Arnold Schwarzenegger  
Governor

9174 Sky Park Court, Suite 100, San Diego, California 92123-4353  
(858) 467-2952 • Fax (858) 571-6972  
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

January 11, 2010

**CERTIFIED MAIL**  
**7009 1410 0002 2347 5241**

Mr. Nazar Najor  
Live Oak Springs Resort  
PO Box 1241  
Boulevard, CA 91905

**In reply refer to:**  
**237188:chenning**

Dear Mr. Najor:

**SUBJECT: NOTICE OF VIOLATION NO. R9-2010-0010  
LIVE OAK SPRINGS RESORT**

Enclosed is Notice of Violation (NOV) No. R9-2010-0010 for Live Oak Springs Resort for violations of Order No. 94-41, *Waste Discharge Requirements for Nazar and Lauren Najor, Live Oak Springs Resort, San Diego County*. The violations cited in the NOV subject you to possible further enforcement action by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), including administrative enforcement orders requiring you to cease and desist from violations, or to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative assessment of civil liability in amounts of up to \$5,000 per day per violation,<sup>1</sup> referral to the State Attorney General for injunctive relief; and referral to the District Attorney for criminal prosecution.

Please take steps to submit future annual reports prior to January 30<sup>th</sup> of each year to ensure that the violations noted in section I of the attached NOV do not occur in the future. The 2009 annual monitoring report is due on or before January 30, 2010.

Section II of the attached NOV references the 2008 – 2009 annual fee. If you have paid the fee since June 24, 2009, please submit documentation of payment to the San Diego Water Board.

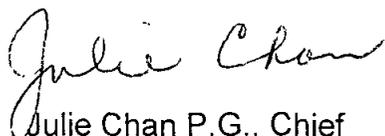
In addition to the violations cited in the NOV, the 2002 annual monitoring report received on December 28, 2007 notes that the Live Oak Springs Resort was transferred to a new owner. Failure to notify the San Diego Water Board of the transfer of ownership is a violation of Order No. 94-41. Please provide the contact information for the new owner, and the date that ownership was transferred as soon as possible. Until the San Diego Water Board has documentation of the ownership change, you and

<sup>1</sup> Under authority of California Water Code section 13350.

Lauren Najor are liable for the violations identified in the attached NOV No. R9-2010-0010 and NOV No. R9-2009-0236 issued on December 30, 2009.

In the subject line of any response, please include the requested "in reply refer to:" information located in the heading of this letter. For questions pertaining to this NOV, please contact Ms. Cathryn Henning at (858)-636-3161 or at [chenning@waterboards.ca.gov](mailto:chenning@waterboards.ca.gov).

Sincerely,



Julie Chan P.G., Chief  
Groundwater Basins Branch

JAC:rwm:clh

Enclosure: Notice of Violation No. R9-2010-0010

cc (with enclosure): Llew Munter, Department of Environmental Health, County of San Diego ([Llew.Munter@sdcounty.ca.gov](mailto:Llew.Munter@sdcounty.ca.gov))

IN THE MATTER OF

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NOTICE OF VIOLATION  
No. R9-2010-0010

Nazar and Lauren Najor  
Live Oak Springs Resort  
37820 Old Highway 80  
Boulevard, CA 91905

In reply refer to:  
237188:chenning

Waste Discharge Requirements: Order No. 94-41  
Facility: Live Oak Springs Resort

**YOU ARE HEREBY NOTIFIED THAT:**

Nazar and Lauren Najor violated Order No. 99-04, *Waste Discharge Requirements for Nazar and Lauren Najor, Live Oak Springs Resort, San Diego County*. These violations subject you to possible further enforcement action by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), including administrative enforcement orders requiring you to cease and desist from violations, or to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative assessment of civil liability in amounts of up to \$5,000 per day per violation;<sup>2</sup> referral to the State Attorney General for injunctive relief; and referral to the District Attorney for criminal prosecution.

**Summary of Violations**

I. Violation of Facility Design and Operation Specification C.2 of Order No. 94-41

Basis for Allegation:

- A. Facility Design and Operation Specification C.2 states, "The discharger shall comply with the attached Monitoring and Reporting Program No. 94-41, and future revisions thereto as specified by the Executive Officer. Monitoring results shall be reported at the intervals specified in Monitoring and Reporting Program No. 94-41."
- B. On June 3, 2009, the San Diego Water Board provided you with the annual self monitoring report template and notified you of your failure to submit the 2008 annual monitoring report.
- C. As of January 14, 2010, the San Diego Water Board has not received the 2007 annual monitoring report which was due January 30, 2008 and the 2008 annual monitoring report which was due January 30, 2009.

<sup>2</sup> Under authority of California Water Code section 13350.

CHONNHL

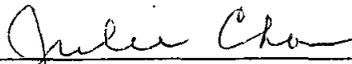
II. Violation of section 13260 of the California Water Code

Basis for Allegation:

- A. Section 13260(d)(1)(A) states, "Each person who is subject to subdivision (a) or (c) [of section 13260] shall submit an annual fee according to a fee schedule established by the state board."
- B. As of June 24, 2009, the State Water Resources Control Board has not received payment for the 2008-2009 fiscal year in the amount of \$613.

Questions pertaining to the issuance of this Notice of Violation are to be directed to Ms. Cathryn Henning at (858)-636-3161 via e-mail at [chenning@waterboards.ca.gov](mailto:chenning@waterboards.ca.gov). Written correspondence should be directed to the following address:

California Regional Water Quality Control Board, San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123-4340



Julie Chan, P.G.  
Supervising Engineering Geologist  
Groundwater Basins Branch

January 11, 2010  
DATE

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE.  
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Sent To: **NAZAR NAJOR**  
 Street, Apt. No., or PO Box No.: **PO BOX 1241**  
 City, State, ZIP+4: **BOULEVARD, CA 91905**

PS Form 3800 August 2005 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 Mr. Nazar Najor  
 Live Oak Springs Resort  
 PO Box 1241  
 Boulevard, CA 91905

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
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 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Transfer from service label) 7009 1410 0002 2347 5241

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